

Lake Preservation Act

Indiana's Lakes Preservation Act mandates that any person proposing to perform an activity at or lakeward of the legal shoreline or average normal water level (mark) of a public freshwater lake must obtain written approval of the Indiana Department of Natural Resources prior to initiating the activity. A person[≡] may be an individual, an incorporated or unincorporated organization or association, a trustee or legal representative, the State, a unit of local government, an agency of the State or a unit of local government, or a group of such persons acting in concert. A *public freshwater lake* is a naturally occurring body of water for which access is provided by the property owner to the general public, **excluding** Lake Michigan, lakes within the city of Hammond, borrow pits, sinkholes, or privately owned water bodies associated with surface coal mining. Most public freshwater lakes are located in the northern part of the state. In assessing the proposed project, IDNR is required to evaluate the singular and cumulative effects of the proposed activity upon:

- the lake's natural resources (fish, plants, water, etc.),
- the lake's water level, and
- the naturalness and scenic beauty of the lake.

Any person seeking approval must submit the following items to the IDNR:

- Completed application form,
- Proof of public notice,
- Plans and specifications describing the activity, and
- Other information as required by IDNR.

Processing time is dependent upon the magnitude of the project and the completeness of items submitted. Normally, 60 to 90 days are required for IDNR to complete its review from the date the application is considered complete. For additional information regarding the permitting program, application process, or public notice requirements, contact the Division of Operations Support.

This approval may include conditions. These conditions have the force of law. They must be understood and complied with. They are currently being included in the letting package, and also should be available at the construction site at all times. It is the project engineer's responsibility to be familiar with these conditions, and comply with them at all times. If there are conditions that you cannot feasibly comply with, contact the Division of Operations Support for assistance. Do not ignore any conditions. **Remember, if you have one permit for an activity, you are not exempted from obtaining all other required permits for the same work. Make sure you have obtained all other required permits for the same work.**